

**House Concurrent Resolution 24**

The President laid before the Senate:

H. C. R. No. 24, Relating to purchase of certain building for use as a State office building.

The resolution was read and was referred to the Committee on Public Buildings and Grounds.

**Senate Concurrent Resolution 9**

On motion of Senator Mauritz and by unanimous consent, Senate Rules 31a and 48 were suspended, and the regular order of business was suspended, to permit consideration of S. C. R. No. 9 at this time.

The President laid before the Senate:

S. C. R. No. 9, Authorizing State Highway Department to lend certain discarded wire to schools of Jackson and other counties.

The resolution was read and was adopted.

**Adjournment**

On motion of Senator Shivers, the Senate, at 12:30 o'clock p. m., adjourned until 10:00 o'clock a. m. next Monday, February 3, 1941.

**TWELFTH DAY**

(Monday, February 3, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

|           |           |
|-----------|-----------|
| Aikin     | Martin    |
| Beck      | Mauritz   |
| Brownlee  | Metcalf   |
| Chadick   | Moffett   |
| Fain      | Moore     |
| Formby    | Ramsey    |
| Graves    | Shivers   |
| Hazlewood | Smith     |
| Hill      | Stone     |
| Isbell    | Sulak     |
| Kelley    | Van Zandt |
| Lanning   | Vick      |
| Lemens    | Winfield  |
| Lovelady  | York      |

**Absent—Excused**

|        |         |
|--------|---------|
| Cotten | Weinert |
| Spears |         |

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 30, 1941 was dispensed with, and the Journal was approved.

**Leaves of Absence Granted**

Senator Spears was granted leave of absence for today on account of important business on motion of Senator Graves.

Senator Cotten was granted leave of absence for today on account of illness on motion of Senator Van Zandt.

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Shivers.

**Communication from State Auditor**

The President laid before the Senate and had read the following communication:

State Capitol,  
Austin, Texas,  
January 31, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Dear Sir:

I have received from the Secretary of the Senate a copy of Senate Resolution No. 16, passed January 23, 1941.

I shall be glad to comply with the request in the resolution and I wish to express to you, and to each member of the State Senate through you, my desire to be of every assistance possible in the conduct of our duties to the citizens of our State.

Sincerely yours,

TOM C. KING,  
State Auditor.

**Report of Standing Committee**

Senator Metcalfe submitted the following reports:

Austin, Texas,  
February 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

H. B. No. 45, A bill to be entitled "An Act to create a Texas Defense Guard in the State of Texas during such time as any part of the National Guard is in active federal service; and to provide for the organization,

maintenance, training, and discipline thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

METCALFE, Chairman.

Senate amendment to Section 11, House Bill No. 45:

Amend Section 11, beginning with line 37, by striking out the entire Section as written, and substituting therefor, the following:

"Section 11. Enlisted Men. Persons shall be enlisted for three years unless sooner demobilized or discharged by authority of the Governor. The oath to be taken upon enlistment in the Texas Defense Guard shall be substantially in the form prescribed for enlisted men of the National Guard, substituting the words 'Texas Defense Guard' where necessary. It shall be the duty of the Governor to disband or demobilize units of the Texas Defense Guard and the officers thereof, insofar as he deems it practicable, ratably and progressively upon the release of the Texas National Guard units from active Federal service and return to their home stations; Provided that the Governor shall, in his judgment, accomplish the disbanding and demobilization of Texas Defense Guard units in conjunction with the return of the National Guard units so as to preserve in any locality or area of the State or in the State as a whole, proper defense of such areas, and, provided further that upon the return of all of the Texas National Guard units to home station, all or any remaining units of the Texas Defense Guard will be disbanded and/or demobilized, in accordance with the provisions of Section 61 of the National Defense Act as amended and approved by the President, October 21, 1940."

Austin, Texas,  
February 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. B. No. 90, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States the tract of land, known as Camp Wolters at or near Mineral Wells, Palo Pinto County, Texas, now owned

by the State of Texas, together with such buildings, systems, fixtures, and appurtenances thereon, as he may deem advisable, and for other purposes."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

METCALFE, Chairman.

Austin, Texas,  
February 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. R. No. 7, A resolution authorizing the appointment of a committee to investigate un-American activities in the State of Texas.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be mimeographed and not otherwise printed.

METCALFE, Chairman.

#### Committee Amendment 1

Amend Section 1 of S. R. No. 7, by striking out the words "three members" and inserting in lieu thereof the words "five members".

#### Committee Amendment 2

Amend Section 7 of S. R. No. 7, by adding thereto the following:

"That the Department of Public Safety shall furnish such information and records as may be requested by the Chairman of said committee, and shall supply such employees as may be required to aid and assist the committee in its work, and shall make available to said committee all of its facilities."

#### Senate Bills on First Reading

The following bills were introduced, read severally first time and referred by the President to the committees indicated:

By Senators Mauritz and Winfield:

S. B. No. 97, A bill to be entitled "An Act amending Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the Forty-fourth Legislature, as amended by S. B. No. 24, Chapter V, Acts of the

Forty-sixth Legislature, so as to exempt instruments, notes, or other obligations taken by or on behalf of State Banking Corporations; and declaring an emergency."

To Committee on Banks and Banking.

By Senator Chadick:

S. B. No. 98, A bill to be entitled "An Act providing that it shall be unlawful for any person, firm, or corporation in this State to charge, contract for, receive, or accept knowingly as interest upon money loaned or contracted to be loaned to a borrower more than ten (10%) per centum per annum of the amount loaned; providing that any person or any member of any firm or any officer, agent or employee of any person, firm, or corporation found guilty of so doing, either for himself, his principal, firm or corporation upon conviction shall be fined not more than Five Hundred (\$500.00) Dollars, such penalty being in addition to and concurrent with other penalties, either civil or criminal heretofore or hereafter prescribed or existing, and shall not impair the rights or the actions at law now existing for the benefit of any person paying usurious interest upon money borrowed as that term is now understood; providing that any corporation whose officers violate Section 1 of this Act shall upon the suit of the county attorney of any county, district attorney, or Attorney General of the State of Texas forfeit its charter and/or be prohibited from doing business in this State; providing any person, firm or corporation who makes a business of loaning money shall evidence such loans by an instrument in writing; providing that such instrument shall show on its face the actual amount of money loaned and delivered or contracted to be loaned and delivered to the borrower, and shall separately, on the face of such instrument, show the sum of money charged or to be charged as interest, or other charge upon the money borrowed; providing that the instrument shall show within ten (10) days the date the money was loaned and delivered to or contracted to be loaned and delivered to the borrower, and the date the loan shall be due and payable by the borrower; providing that the persons, firms, or corporations loaning such money shall not charge, either directly or indirectly, either as a service charge, brokerage or other fee of

any nature or kind whatever, any additional amount than that set up in the face of the instrument, nor shall they permit any other person, firm, or corporation to charge any other sum for procuring or arranging the loan for the borrower; providing any person, firm, or corporation charging, contracting for, or receiving more than ten (10%) per centum per annum interest upon any money loaned, who fails in the absence of fraud to evidence such loan in writing, or fails to separately state the amount of money actually loaned to the borrower, or to separately state, as provided in Section 3 of this Act the amount of interest, service charge, brokerage, or charge of any nature or kind whatever actually paid or contracted to be paid by the borrower upon the money so loaned upon the face of such instrument, or that charges any sum of money in addition to that set out in the face of the instrument or permits any other person to charge any sum of money in addition to that set out in the face of the instrument as interest or other charge for the loan to the borrower shall not be permitted to enforce such obligation in any court in this State, nor shall any purchaser, assignee, or other person holding such obligation, regardless of how acquired, enforce the same in the courts of this State; providing that any loan made outside of this State not evidenced in substantial compliance with this Act shall not be enforced in the courts of this State; providing that the provisions of this Act shall not be applicable to any State Bank or National Bank nor any lending agency created and set up by the United States Government; providing that the provisions of this Act shall not be applicable to transactions between persons, firms, or corporations making a casual loan as these terms are hereinafter defined; providing persons, firms, or corporations coming within the purview of this Act, shall on demand made by the county attorney of any county, district attorney, or the Attorney General of the State of Texas permit such officers during business hours to inspect and make copies of any books, records, and instruments pertaining to the operation of their business; providing the definition for certain terms used in the Act; providing that this Act shall be liberally construed to effectuate its intentions by

the courts of this State; providing that if any word, phrase, sentence, paragraph, section or sections of this Act shall be held unconstitutional by the courts, that the remainder of the Act shall continue in full force and effect; and declaring an emergency."

To Committee on Banks and Banking.

By Senator Kelley:

S. B. No. 99, A bill to be entitled "An Act amending Chapter 286, Acts of the Forty-first Legislature, Regular Session 1929, by adding a new Section thereto to be designated as Section 2a; and providing for minimum salary for a secretary-treasurer to be chosen from among the board members of the Texas College of Arts and Industries; and declaring an emergency."

To Committee on Education.

By Senator Brownlee:

S. B. No. 100, A bill to be entitled "An Act relating to the compensation of sheriffs, and their deputies, of the State of Texas, for certain designated duties and providing the method, means and sums which such officers shall be paid for such services, fixing the amount of compensation for such services and providing for the payment thereof, providing that nothing this Act shall effect the laws now in existence, providing the effective date of this Act, repealing all laws inconsistent with the provisions of this Act, declaring the Act to be severable, declaring the policy and intention of the Legislature relative thereto; and declaring an emergency."

To Committee on State Affairs.

By Senator Kelley:

S. B. No. 101, A bill to be entitled "An Act amending H. B. No. 438, Regular Session, Forty-sixth Legislature, with reference to the employment of a stenographer or clerk by the county judge of certain counties so as to make the Act applicable in counties having a population or not more than seven thousand, eight hundred (7,800) and not less than seven thousand, seven hundred (7,700), and in counties of not more than thirteen thousand, two hundred ninety-nine (13,299) and not less than thirteen thousand, one hundred ninety-nine (13,199) inhabitants, according to the last preceding Federal Census; fixing salary of same; providing for

payment of salary; providing for removal; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Brownlee:

S. B. No. 102, A bill to be entitled "An Act fixing a time within which any person having a claim against the State of Texas based on any disbursing order issued, prior to October, 1936, for general or transient relief purposes, by the Texas Relief Commission or the Texas Relief Commission Division of the State Board of Control, or any of their authorized representatives, agents, or employees, shall present the same to the State Department of Public Welfare for approval and payment, or such claim shall be forever barred; fixing a time within which any person, his heirs, assigns or legal representatives, to whom a check was issued, prior to July 1, 1936, for relief purposes by the Texas Relief Commission or The Texas Relief Division of the State Board of Control, or any of their authorized representatives, agents or employees, may present the same for approval and payment to the State Department of Public Welfare, and failure to do so shall forever bar any claim against the State of Texas evidenced by said check or upon the claim to satisfy which said check was given; and declaring an emergency."

To Committee on State Affairs.

By Senator Brownlee:

S. B. No. 103, A bill to be entitled "An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; to make obligations issued for such projects of housing authorities legal investments and se-

curity for deposits; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; and declaring an emergency."

To Committee on Public Health.

#### Message from the House

The Assistant Reading Clerk of the House was recognized by the President to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
February 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. C. R. No. 27, Authorizing the lending by the State Highway Department of guard wire to Burkburnet Independent School District.

H. C. R. No. 29, Authorizing the lending by the State Highway Department of guard wire to Munday Independent School District.

H. B. No. 134, A bill to be entitled "An Act providing for the granting and issuance of easements or surface leases to the United States of America by the School Land Board on any island, salt water lake, bay, inlet, or marsh within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, for any purpose essential for the National Defense; retaining for the State of Texas all oil and gas and other mineral rights in and under such areas; providing that the consideration to be paid the State therefor shall be agreed upon by the School Land Board and the United States of America; subordinating all existing grass leases to such easements or surface leases; providing for the suspension of the primary and principal terms and rental obligations of existing oil and gas leases affected hereby for the duration of such easements or surface leases upon the filing of the subordination agreements by holders of such oil and gas leases; providing for notice to such oil and gas lessees of the termination of such

easements or surface leases; excluding from the terms hereof all areas where oil, gas or other mineral production exists; and declaring an emergency."

H. B. No. 151, A bill to be entitled "An Act defining the jurisdiction of the County Court of Panola County and diminishing its civil jurisdiction; providing that the District Court of Panola County shall have jurisdiction in all civil matters over which by law the county court would have jurisdiction; providing for the transfer of civil causes from the County Court to the District Court of Panola County; providing for the repeal of all laws in conflict therewith; and declaring an emergency."

H. B. No. 200, A bill to be entitled "An Act to validate the organization and creation of all Junior College Districts and Union Junior College Districts, created in any manner under the provisions of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and under any amendments thereof; validating all proceedings and acts of the County Boards of Education, all acts of the State Board of Education, and all acts of the Commissioners' Courts of this State heretofore taken in creating or undertaking to create such Junior College Districts; validating all elections held for the creation of such Junior College Districts, the election of trustees thereof, and the voting of bonds therefor; validating all proceedings and acts of the boards of trustees of such Junior College Districts heretofore taken; validating all bonds voted, authorized, or sold, or now outstanding of such Junior College Districts and all bonds heretofore voted, but not yet issued; providing for the election of a board of trustees for such Junior College Districts, and providing certain powers and duties of such trustees; providing for the fee to be charged such Junior College Districts by the County Tax Assessor and Collector when such officer shall be designated to assess and collect the taxes for such districts; repealing all laws in conflict herewith; providing a saving clause; providing this law shall not apply to any district or any bonds now in litigation; and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

**Advance Printing of Senate Bill 102**

On motion of Senator Brownlee, it was ordered that S. B. No. 102 be printed in advance of its consideration in committee.

**Consideration of Senate Bill 20**

Senator Moore moved that Section 5 of Article 3 of the Constitution be suspended to allow consideration in committee and by the Senate of S. B. No. 20 at any time during the remainder of the regular session of the Forty-seventh Legislature.

The motion prevailed by the following vote:

Yeas—28

|           |           |
|-----------|-----------|
| Aikin     | Martin    |
| Beck      | Mauritz   |
| Brownlee  | Metcalfe  |
| Chadick   | Moffett   |
| Fain      | Moore     |
| Formby    | Ramsey    |
| Graves    | Shivers   |
| Hazlewood | Smith     |
| Hill      | Stone     |
| Isbell    | Sulak     |
| Kelley    | Van Zandt |
| Lanning   | Vick      |
| Lemens    | Winfield  |
| Lovelady  | York      |

Absent—Excused

|        |         |
|--------|---------|
| Cotten | Weinert |
| Spears |         |

**Consideration of Senate Bill 99**

Senator Kelley moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of S. B. No. 99 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—28

|           |           |
|-----------|-----------|
| Aikin     | Martin    |
| Beck      | Mauritz   |
| Brownlee  | Metcalfe  |
| Chadick   | Moffett   |
| Fain      | Moore     |
| Formby    | Ramsey    |
| Graves    | Shivers   |
| Hazlewood | Smith     |
| Hill      | Stone     |
| Isbell    | Sulak     |
| Kelley    | Van Zandt |
| Lanning   | Vick      |
| Lemens    | Winfield  |
| Lovelady  | York      |

Absent—Excused

|        |         |
|--------|---------|
| Cotten | Weinert |
| Spears |         |

**Consideration of Senate Bill 101**

Senator Kelley moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of S. B. No. 101 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—28

|           |           |
|-----------|-----------|
| Aikin     | Martin    |
| Beck      | Mauritz   |
| Brownlee  | Metcalfe  |
| Chadick   | Moffett   |
| Fain      | Moore     |
| Formby    | Ramsey    |
| Graves    | Shivers   |
| Hazlewood | Smith     |
| Hill      | Stone     |
| Isbell    | Sulak     |
| Kelley    | Van Zandt |
| Lanning   | Vick      |
| Lemens    | Winfield  |
| Lovelady  | York      |

Absent—Excused

|        |         |
|--------|---------|
| Cotten | Weinert |
| Spears |         |

**Signing of Bills and Resolutions**

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

S. B. No. 29, A bill to be entitled "An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session; providing for determining the amount of contributions by employers and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act amending Section 5 of Senate Bill No. 175 passed at the Regular Session of the Forty-sixth Legisla-

ture and known as Chapter 15, page 285, of the General Laws passed at said Regular Session of the Forty-sixth Legislature so that Section 5 of said Senate Bill No. 175 shall hereafter read as follows: 'No bonds authorized to be issued or executed under this Act shall be issued or executed after the expiration of four years after the effective date of this Act'; and declaring an emergency."

S. B. No. 41, A bill to be entitled "An Act amending Section 2a of Senate Bill No. 297, passed at the Regular Session of the Forty-sixth Legislature and known as Chapter 13, page 282, of the General Laws passed at said Regular Session of the Forty-sixth Legislature, relating to assignments of salaries of teachers and school employees; and declaring an emergency."

S. C. R. No. 3, In memory of Honorable Charles Mape Cureton.

S. C. R. No. 5, Requesting the Federal Government to give material financial assistance to school districts near defense training centers.

S. C. R. No. 6, Authorizing the lending by the State Highway Department of guard wire to the City of Vernon.

S. C. R. No. 7, Authorizing the lending by State Highway Department of guard wire to Iowa Park Independent School District.

H. C. R. No. 21, In memory of Eli T. Merriman.

H. C. R. No. 22, In memory of General W. E. Jackson of Hillsboro, Texas.

H. C. R. No. 23, Instructing the Committees on Rules of the two Houses to meet in Joint Session to draft Proposed Permanent Joint Rules of Forty-seventh Legislature.

#### Reference of House Concurrent Resolutions

House Concurrent Resolutions 27 and 29, received from the House today, were laid before the Senate, read severally, and referred to the Committee on Public Buildings and Grounds.

#### House Bills on First Reading

The following House bills previously received from the House, were laid before the Senate, read first time and referred to the committees indicated.

H. B. No. 134, to Committee on Public Lands and Land Office.

H. B. No. 151, to Committee on Civil Jurisprudence.

H. B. No. 200, to Committee on Civil Jurisprudence.

#### Advance Printing of Senate Bill 103

On motion of Senator Brownlee, it was ordered that S. B. No. 103 be printed in advance of its consideration in committee.

#### Temporary Rules

Senator Metcalfe moved that the rules heretofore adopted as temporary rules of the Senate through February 3, 1941, be adopted as the temporary rules of the Senate through Monday, February 10, 1941.

Senator Lanning moved as a substitute that the rules heretofore adopted as the temporary Senate rules through February 3, 1941, be adopted as the temporary rules through February 6, 1941.

Question first recurring on the substitute motion, it was lost.

The motion of Senator Metcalfe prevailed.

#### Message from the House

The Assistant Reading Clerk of the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
February 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 9, Authorizing the lending by the State Highway Department of guard wire to schools of Jackson and other adjacent counties, etc.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Joint Session

At 10:55 o'clock a. m., the President announced the joint session to hear an address by Major General Paul B. Malone, would be held at 11:00 o'clock a. m. today, and he requested the Senators to proceed to the Hall of the House for the joint session.

The Honorable Senators were announced at the Hall of the House and were duly admitted and escorted

to seats prepared for them along the aisle.

The President of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The President announced the purpose of the joint session and called the Senate to order at 11:00 o'clock a. m.

The roll of the Senate was called, and a quorum announced present.

Speaker Leonard called the House to order, and requested the Members of the House to register present.

A quorum of the House was announced present.

Major General Paul B. Malone was escorted to the Speaker's desk by Senators Lemens, Brownlee, Aikin, Graves, Beck and Vick, on the part of the Senate, and by Representatives Helpinstill, Roark, Stanford, Wattner, and Ellis, on the part of the House.

Representative Harold Kennedy, acting temporarily as Speaker of the House presented Lieutenant Taylor, a

member of the House, who introduced Major General Paul B. Malone to the joint session and the assemblage.

Major General Malone then addressed the joint session and the assemblage.

At the conclusion of the address, the President announced the business of the joint session concluded and requested the Senate to repair to its Chamber.

#### In the Senate

The President called the Senate to order at 11:30 o'clock a. m.

#### Adjournment

Senator Aikin moved that the Senate recess to 2:00 o'clock p. m. today.

Senate Winfield moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion to adjourn prevailed; and the Senate accordingly, at 11:35 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.



## In Memory of Mr. Herman Weinert

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Senator Moffett offered the following resolution:

(Senate Resolution 28)

Whereas, On the 31st day of January, 1941, the Almighty, in His infinite wisdom, called home from our midst Mr. Herman Weinert of Weinert, Haskell County, Texas, a prominent and well beloved citizen of Northwest Texas; and

Whereas, Mr. Weinert, a member of a very distinguished Texas family, was born in New Braunfels, Comal County, Texas; later removing to Seguin, Guadalupe County, Texas, and from the latter place emigrated more than thirty-five years ago to become a pioneer in Haskell County, in Northwest Texas, where he resided until his death and for whom said town was named. He was called the God-father of Weinert, a town near which he resided at the time of his death. During his lifetime, he was an outstanding citizen and civic leader—his counsel and leadership were eagerly sought and followed by citizens from all the walks of life; and

Whereas, His memory is revered by his community and his beneficial work will remain forever in the minds of those who knew him and to whom his friendship was unexcelled; and

Whereas, He was a brother of former Senator F. C. Weinert of Seguin, a distinguished member of this body; and

Whereas, He was likewise an uncle of our present illustrious colleague, Senator Rudolph Weinert; now, therefore, be it

Resolved by the Senate of Texas, That the Senate and the State of Texas take solemn notice of the passing of this true and outstanding citizen, and that the members of the Senate deeply regret the passing of this noble and worthy character, and that we extend our sincere sympathy to the surviving members of his family; and

Be It Further Resolved, That when the Senate adjourns today it does so in memory of Mr. Herman Weinert, and that a page of the Senate Journal of this date be dedicated to his memory, and that the Secretary of the Senate be instructed to send a copy of this resolution to each of the surviving members of his family.

MOFFETT,  
SMITH.

Signed.—Aikin, Beck, Brownlee, Chadick, Cotten, Fain, Formby, Graves, Hazlewood, Hill, Isbell, Kelley, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Ramsey, Shivers, Smith, Spears, Stone, Sulak, Van Zandt, Vick, Winfield and York.

The resolution was read.

On motion of Senator Aikin, it was ordered that the names of all Senators be added to the resolution as signers thereof.

The resolution was adopted unanimously.